

REMARKS

By this Response claims 1, 8, 18, 20, 32, 36, 37, and 39 are amended and claims 7, 9, 23, 25, 27, 31, and 40 have been cancelled. Claims 1-6, 8, 10-22, 24, 26, 28-30, 32-39, and 41-60 remain pending. Applicant believes that the amendments submitted herewith place all pending claims in condition for allowance. If the Examiner disagrees, Applicant's representative would appreciate the opportunity to discuss appropriate Examiner's amendments to facilitate the granting of a Notice of Allowance.

The Office Action indicated that claim 7 would be allowable if rewritten in independent form. Claim 1 is hereby amended to include all of the limitations of claim 7 and claim 7 is cancelled. Because claim 1, as rewritten, is allowable, claims 2-6, 8, 10-17, and 19 are allowable as depending from and including all of the limitations of an allowable base claim, subject to some objections overcome as discussed below.

Claim 9 is cancelled in light of the rejection under 35 U.S.C. §112 for indefiniteness. The cancellation of this claim is not a reflection of this claim's patentability on any basis other than its indefiniteness.

The Office Action indicated that claim 18 would be allowable if rewritten in independent form. Claim 18 has been so rewritten to include all of the limitations of claims 1, 12, and 17 from which it originally depended. This claim is also now in condition for allowance.

Claim 20 has been amended to overcome the informality of the missing adjective in line 4. Applicant thanks the Examiner for identifying this error.

The Office Action indicated that claim 31 would be allowable if rewritten in independent form. Claim 20 has been rewritten to include all of the limitations of claim 31 and claim 31 has been cancelled. Because claim 20, as rewritten, is allowable, claims 21-24, 26, 28-30, 32, 33-38

are allowable as depending from and including all of the limitations of an allowable base claim, subject to other rejections overcome as discussed below.

Claim 23 has been cancelled as it is simply a duplicate of claim 22.

Claims 25 and 27 are cancelled in light of the rejection under 35 U.S.C. §112 for indefiniteness. The cancellation of these claims is not a reflection of their patentability on any basis other than their indefiniteness.

Claim 32 has been amended to depend from amended claim 20 instead of cancelled claim 31.

Claims 36 and 37 are amended to overcome the rejections under 35 U.S.C. §112 of claims 36-38 for indefiniteness due to improperly claiming bones, bone fragments and bone interiors. The claims, as amended, describe structures that are attachable to bones etc. and no longer claim the bones or bone fragments themselves.

The Office Action indicated that claim 40 would be allowable if rewritten in independent form. Claim 39 has been rewritten to include all of the limitations of claim 40 and claim 40 has been cancelled. Because claim 39, as rewritten, is allowable, claims 41-54 are allowable as depending from and including all of the limitations of an allowable base claim. Claim 39 has also been amended to correct a minor typographical error.

In view of the foregoing and the previously submitted amendments and remarks, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

The Commissioner is hereby authorized to charge any additional filing fees required to
Deposit Account No. 061910.

Respectfully submitted,

Dated: /January 4, 2007/

/Frank P. Piskolich/

Frank P. Piskolich

Reg. No. 52,123

(612) 492-7305

Fredrikson & Byron, P.A.
200 South Sixth Street, Suite 4000
Minneapolis, MN 55402-1425 USA
Facsimile: (612) 492-7077

4124730